OFFICIAL

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CENTRAL FAX CENTER

APR 1 3 2004

Application of

Applicants

: Tate et al.

Serial No. Filed

: 09/866,565 : May 25,2001

Title

: MEAT PROCESSING SCHEME

Docket

: SPT 0009 PA/40728.28

Examiner

: A. Corbin

Art Unit

: 1761

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being

facsimile transmitted to the Patent and Trademark

Office ((703) 872-9306) on April 13, 2004.

Beyer

39,564 Reg. No.

Sir:

Comment on Reasons for Allowance

This paper is being filed in response to Examiner's Statement of Reasons for Allowance in the Office Action of March 2, 2004. Applicants note that although the reasons for allowance correctly identifies some claim recitations, the specific claim recitations identified in the Reasons for Allowance are not present in each allowed independent claim. Further, applicants assert that the Statement of Reasons for Allowance does not reflect any position taken by the applicants and should not be interpreted to restrict claim scope by way of prosecution history estoppel or any other means.

Respectfully submitted,

James E. Beyer

Registration No. 39,564

One Dayton Centre

One South Main Street, Suite 500

Dayton, Ohio 45402-2023

Telephone: (937) 223-2050

24222 1.DOC

@ 001/002 MD

DINSMORE SHOHLLLP

FACSIMILE TRANSMITTAL

from JAMES E. BEYER

April 13, 2004

Direct: 937-449-6438 / Fax: 937-223-0724 / james.beyer@dinslaw.com

To:

Examiner A. Corbin, Art Unit 1761

Firm:

Commissioner for Patents

Fax Number:

703-872-9306

Client Number:

SPT 0009 PA/40728.28

Pages:

2

(including cover)

Comments:

OFFICIAL

OFFICIAL

OFFICIAL

RECEIVED CENTRAL FAX CENTER

APR 1 3 2004

U.S. Patent Application Serial No. 09/866,565

If there are any problems in receiving this transmission, please call (937) 223-2050 immediately. Thank you.

/ems

Notice

This message is intended only for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this notice in error, please notify us immediately by telephone and return these papers to us at the address helow via first class mail.